

UNITED STATES DISTRICT COURT

Southern

District of

New York

Mary Mihalak and John Mihalak

V.

SUMMONS IN A CIVIL ACTION

Merck & Co., Inc.

CASE NUMBER:

07 CV

6615

TO: (Name and address of Defendant)

Merck & Co., Inc.
One Merck Drive
P.O. Box 100, WS3AB-05
Whitehouse Station, NJ 08889-0100

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Annesley H. DeGaris
Cory Watson Crowder & DeGaris
2131 Magnolia Avenue, FL 2
Birmingham, AL 35205
Telephone: 205-328-2200
Facsimile: 205-324-7896
email: adegaris@cwcd.com, jsisson@cwcd.com, and
asapone@cwcd.com

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

JUL 23 2007

CLERK

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE 8/9/07
NAME OF SERVER (PRINT) James Reap	TITLE Process Server

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the defendant. Place where served:
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left:
- ☐ Returned unexecuted:

☒ Other (specify): by delivering and leaving documents with Connie Boyle, legal assistant person authorized to accept document on behalf of Merck & Company, Inc. at its usual place of business at One Merck Drive, Whitehouse Station, NJ 08889

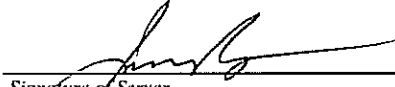
STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL \$0.00
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 8/9/07
Date


Signature of Server

50 Main St. Hackensack, NJ 07601
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.